

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

COLUMBIA GAS TRANSMISSION,
LLC,

Plaintiff,

v.

.12 ACRES OF LAND, MORE OR LESS,
IN WASHINGTON COUNTY,
MARYLAND, et al.

Defendants.

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Civil Action No. GLR-19-1444

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ORDER

On August 13, 2019, the Court held a hearing on Plaintiff Columbia Gas Transmission, LLC's ("Columbia Gas") Plaintiff's Motion for an Order of Condemnation and for Preliminary Injunction (ECF No. 2). To allow further consideration of the parties' briefs and oral arguments, the Court continued the hearing until August 21, 2019, when it issued its ruling orally. For the reasons stated on the record, Columbia Gas failed to establish its entitlement to preliminary injunctive relief. As a result, the Court denied the Motion. The Court then concluded that Defendants State of Maryland and the Department of Natural Resources' ("MDNR") Eleventh Amendment immunity bars Columbia Gas's Complaint in Condemnation. As a result, the Court determined it did not have subject matter jurisdiction over this case and dismissed the Complaint.¹

¹ Because the Court does not have subject matter jurisdiction over this case, the Court is without power to rule on the other pending motions, MDNR's Motion to Dismiss, (ECF No. 29), and Columbia Gas's Motion to Strike Defendant's Motion to Dismiss, (ECF No. 35).

Accordingly, it is this 22nd day of August, 2019, by the United States District Court for the District of Maryland, hereby:

ORDERED that Columbia Gas's Plaintiff's Motion for an Order of Condemnation and for Preliminary Injunction (ECF No. 2) is DENIED;

IT IS FURTHER ORDERED that the Complaint in Condemnation (ECF No. 1) is DISMISSED; and

IT IS FURTHER ORDERED that the Clerk CLOSE this case.

/s/
George L. Russell III
United States District Judge